

## Message Text

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13  
ACTION SS-30

INFO OCT-01 ISO-00 ( ISO ) W  
----- 077999

R 170536Z FEB 74  
FM AMEMBASSY KUWAIT  
TO SECSTATE WASHDC 8788  
INFO AMEMBASSY ATHENS  
AMEMBASSY BEIRUT  
AMEMBASSY RABAT  
AMEMBASSY ROME

S E C R E T SECTION 1 OF 2 KUWAIT 0624

EXDIS

EO 11652: GDS  
TAGS: PINS, XF, KU  
SUBJ: TERRORISM - THE ROME FIVE

REF: STATE 27525; STATE 27234  
E

SUMMARY: CHARGE MADE DEMARCHE RE ROME FIVE TO FOREIGN MINISTRY UNDERSECRETARY RASHID FEB 14. AS REQUESTED IN NOTE PRESENTED, RASHID GAVE ASSURANCE GOK WAS STILL ACTIVELY ENGAGED IN EFFORTS TO GET PLO TO TAKE, TRY, WHD GIVE ADEQUATE PUNISHMENT TO ROME FIVE FOR CRIMES THEY HAD COMMITTED. PROBLEM AT PRESENT IS THAT PLO UNABLE OBTAIN CONSENT SYRIA OR OTHER ARAB COUNTRY WHERE PLO COULD CARRY OUT THESE ACTIONS. TRIAL OF TERRORISTS UNDER KUWAITI LAW NOT RPT NOT FEASIBLE BECAUSE THEY COULD ONLY BE TRIED FOR CRIMES COMMITTED IN KUWAIT AND SENTENCES WOULD PROBABLY BE NO MORE THAN SIX MONTHS IMPRISONMENT. RASHID GAVE FIRM UNDERTAKING THAT ROME FIVE WOULD NOT RPT NOT BE RELEASED PENDING DECISION ON THEIR DISPOSITIONJM END SUMMARY

1. CHARGE ENDEAVORED OBTAIN APPOINTMENT WITH FONMIN SHAIKH SABAH TO CARRY OUT INSTRUCTIONS REFTEL. WHEN APPOINTMENT APPEARED UNLIKELY IN NEXT FEW DAYS DUE VISIT PRESIDENT MOBUTU AND OTHER PRESSING BUSINESS, CHARGE AGREED SEE UNDERSECRETARY RASHID  
SECRET

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AL-RASHID.

2. AT MEETING WITH RASHID FEB 14, CHARGE CARRIED OUT INSTRUCTIONS REFTEL STRESSING POINTS MENTIONED PARA 5 AND CLEARLY SETTING

OUT IMPORTANCE USG PLACES ON EXTRADITION OR EFFECTIVE TRIAL OF ROME FIVE FOR FUTURE USG-KUWAIT RELATIONS. NOTE INCORPORATING PARAS 7 AND 8 REFTTEL ALSO PRESENTED.

3. RASHID HAD APPARENTLY JUST BEEN READING AND PONDERING REPORTS OF DEPUTY SECRETARY'S TALK WITH KUWAITI AMBASSADOR, SHAIKH SALEM, AND SECRETARY'S TALKS WITH ARAB AMBASSADORS ON OIL EMBARGO, PRICES, ETC. WHICH, TOGETHER WITH US PRESS ATTACKS ON KUWAITIS (AND ARABS IN GENERAL), WERE CAUSING GOK SOME CONCERN. RASHID OUTLINED GOK POSITION ON THESE POINTS AT SOME LENGTH (SEPTEL).

4. RE CHARGE'S DEMARCHE, RASHID SAID GOK CONSIDERED ROME FIVE AS COMMON CRIMINALS THAT SHOULD BE PUNISHED AS SUCH, AND AT NO TIME DID HE RAISE THE PROBLEM OF THEIR BEING GUILTY OF "POLITICAL CRIME." HE POINTED OUT--

A. GOK USED EVERY MEANS IN ITS POWER TO KEEP TERRORISTS OUT. AIRPORT WAS CLOSED, VEHICLES PARKED ON RUNWAYS, CONTROL TOWER REFUSED PERMISSION TO LAND.

B. GOK FELT IT HAD MORAL OBLIGATION TO PROTECT HOSTAGES INSOFAR AS HUMANLY POSSIBLE. IT HAD DONE SO AND RECEIVED EXPRESSIONS OF DEEP APPRECIATION FROM ITALIANS, FRENCH, AND GERMANS. NOW GOK SEEKING TO DEAL WITH RESULTING PROBLEM TO BEST ITS ABILITY AND RESOURCES.

C. ALTHOUGH GOK WOULD BE READY ENOUGH TO TRY ROME FIVE, UNDER KUWAIT LAW THEY COULD BE TRIED ONLY FOR CRIMES ACTUALLY COMMITTED IN KUWAIT. THUS MAXIMUM SENTENCES WOULD BE ONLY SIX MONTHS OR SO -- AND THIS IS INADEQUATE PUNISHMENT FOR SUCH HEINOUS CRIMES AS THEY HAD COMMITTED.

D. GOK HAD THEN CONTACTED PLO WHO AGREED TO TAKE, TRY, AND ADEQUATELY PUNISH THE FIVE. IN STRICT CONFIDENCE RASHID SAID GOK HAD TOLD PLO THEY MUST TAKE THE MEN AND EXECUTE THEM PUBLICLY TO DETER OTHERS FROM SUCH OPERATIONS. PROBLEM WAS SECRET

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SYRIA WOULD NOT ALLOW PLO TO CARRY OUT TRIAL ON ITS TERRITORY -- BUT GOK STILL PRESSING FOR THIS. RASHID SAID GOK COULD NOT ALLOW PLO TO FERRY OUT TRIAL AND PUNISHMENT IN KUWAIT BECAUSE GOJ WOULD BE ANSWERABLE TO ASSEMBLY, PUBLIC AND PRESS FOR ALLOWING NON-KUWAITI COURT OPERATE ON ITS SOIL. HE SAID, HOWEVER, THAT PLO ACTION WOULD BE ENTIRELY POSSIBLE IN SYRIA, IRAQ, OR EGYPT.

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ACTION SS-30

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R 170536Z FEB 74

FM AMEMBASSY KUWAIT

TO SECSTATE WASHDC 8789

INFO AMEMBASSY ATHENS

AMEMBASSY BEIRUT

AMEMBASSY RABAT

AMEMBASSY ROME

S E C R E T SECTION 2 OF 2 KUWAIT 0624

EXDIS

E. RE EXTRADITION, RASHID SAID KUWAIT HAD NO RPT NOT EXTRADITION TREATY WITH ITALY SO THAT IT COULD NOT LEGALLY EXTRADITE ROME FIVE TO THEM. BESIDES, HOWEVER, THE ITALIANS ONLY WENT THROUGH THE MOTIONS OF REQUESTING EXTRADITION. WHEN KUWAIT SAID IT COULD NOT EXTRADITE THE FIVE, THE ITALIANS WERE GREATLY

RELIEVED AND NEVER PRESSED THE ISSUE. AT ONE POINT, THEY ASKED GOK TO TAKE THE TWO GREEK TERRORISTS FROM THEM AND RELIEVE THEM OF THIS PROBLEM AS WELL\* WHEN ITALIAN PREMIER ALDO MORO VISITED KUWAIT HE DID NOT MENTION ROME FIVE -- FOREIGN MINISTER SHAIKH SABAH AL-AHMAD DID, AND RASHID SAID IT WAS CLEAR ITALIANS HAD ABSOLUTELY NO DESIRE TO HAVE THESE MEN TURNED OVER TO THEM. FURTHERMORE, HE DID NOT BELIEVE IT WAS A MATTER THAT THE ITALIAN GOVERNMENT WAS REALLY ABLE TO COPE WITH.

F. IN RESPONSE TO CHARGE'S QUESTION ABOUT MOROCCAN REQUEST FOR EXTRADITION, RASHID SMILINGLY REPLIED GOM DID NOT WANT THE MEN FOR TRIAL. THEY WANTED KUWAIT TO "GET RID OF THEM HERE", HE SAID AND ADDED, "IN FACT, NO ONE WANTS THESE CRIMINALS, NO STATE WILL TAKE THEM."

G. IN ANY EVENT, RASHID SAID, HE COULD ASSURE ME ABSOLUTELY THAT GOK HAD NO RPT NO INTENTION OF RELEASING ROME FIVE.

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THESE MEN WERE BEING HELD IN SPECIAL CELLS FOR DANGEROUS CRIMINALS AND THEY WOULD NOT RPT NOT BE RELEASED TO KILL OTHERS. GOK WAS IN CONSTANT TOUCH WITH PLO ABOUT TRIAL AND PUNISHMENT AND WAS ACTIVELY WORKING ON WAYS TO MAKE SUITABLE ARRANGEMENTS.

5. RASHID THEN SAID HE WANTED TO REVIEW WITH JAPANESE EMBASSY INCIDENT IN VIEW OF MY COMMENT THAT THAT INCIDENT HAD INCREASED OUR CONCERN ABOUT RELEASE OF THE ROME FIVE. GOK HAD TAKEN FIRM DECISION NOT RPT NOT TO ALLOW JAL AIRCRAFT TO LAND KUWAIT.

THEN GOJ PREMIER HAD TELEPHONE AND URGENTLY BEGGED GOK TO ALLOW PLANE IN AND KUWAITI GUNMEN TO DEPART TO SAVE THEIR EMBASSY PERSONNEL. GOK WAS SORELY TORN TO MAKE DECISION, BUT DECIDED, ON HUMANITARIAN GROUNDS TO ACCEDE TO THIS URGENT PLEA. IF GOK HAD NOT DONE SO, THERE WOULD UNDOUBTEDLY HAVE BEEN A MASSACRE -- TERRORISTS HAD EIGHTEEN HAND-GRENADES AND ALL KINDS OF WEAPONS AND AMMUNITION. GOK CONSIDERED HUMANITARIAN ASPECTS OF CASE OUTWEIGHED ALL OTHERS. WAS GOK WRONG? GOJ HAD CERTAINLY EXTENDED ITS WARMEST POSSIBLE THANKS.

6. CHARGE THEN PRESENTED NOTE AND READ LAST PARAGRAPH RE SPECIFIC ASSURANCES USG REQUESTED. RE EXTRADITION OR LOCAL TRIAL, RASHID REAFFIRMED THAT GOK STILL ACTIVELY ENGAGED WITH PLO TO REACH AGREEMENT ON ARRANGEMENTS FOR TRIAL AND PUNISHMENT OF ACCUSED; HE REITERATED THAT TRIAL UNDER GOK LAW COULD NOT RPT NOT BE FOR CRIME OF REQUISITE GRAVITY. RE POSSIBLE RELEASE OF TERRORISTS, RASHID GAVE CHARGE FIRM ASSURANCE THAT FIVE WOULD CONTINUE TO BE HELD AND TREATED LIKE THE CRIMINALS THEY ARE.

7. COMMENT: RASHID HAD NO HESITATION IN BRANDING ROME FIVE AS CRIMINALS THAT SHOULD BE SEVERELY PUNISHED AND NOT RPT NOT LOOSED ON SOCIETY TO CARRY OUT FURTHER ACTS OF TERROR AND VIOLENCE. HE GAVE EVERY EVIDENCE OF GOK DETERMINATION TO SEE THE ACCUSED BROUGHT TO JUSTICE -- AND CERTAINLY NOT RPT NOT RELEASED. BELIEVE GOK CLEARLY REALIZES IMPORTANCE ITS FINDING SOME SOLUTION TO CASE ANWUT THAT IT WILL CONTINUE PRESS PLO TO WORK OUT SOME SATISFACTORY ARRANGEMENT.  
MCCLELLAND

SECRET

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